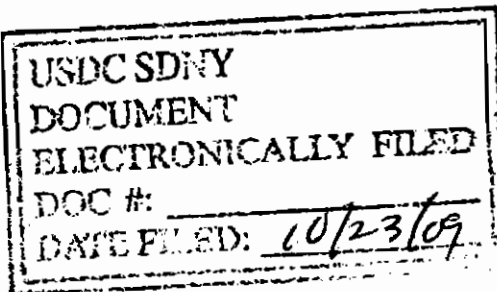


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



THE ANNUITY, WELFARE, APPRENTICESHIP SKILL
IMPROVEMENT & SAFETY FUNDS of the
INTERNATIONAL UNION OF OPERATING ENGINEERS,
LOCAL 15, 15A, 15C and 15D, AFL-CIO, by its TRUSTEES
JAMES T. CALLAHAN, FRANCIS P. DIMENNA,
ROBERT SHAW and RUSSELL SHAW, and JOHN and
JANE DOE, as Beneficiaries of the ANNUITY, WELFARE and
APPRENTICESHIP SKILL IMPROVEMENT & SAFETY
FUNDS of the INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 15, 15A, 15C and 15D, AFL-CIO,

REVISED
SCHEDULING ORDER

09-CIV-3782 (LTS)(DCF)

Plaintiffs,

-against-

FRANCIS ALBERT CONSTRUCTION CORP.,

Defendant.

Upon consent of the parties, it is hereby ORDERED that the discovery schedule is revised as follows.

1. All discovery must be completed by November 30, 2009.
2. The deadline for dispositive motions is December 23, 2009.
3. The Trial Ready Date is set for February 19, 2010.

So Ordered: New York, New York
October 23, 2009

The within dates are adopted. A final pretrial conference will be held before Judge Swain on December 19, 2010, at 3:00 pm, if this matter is not settled.

[Signature]
The Honorable Laura Taylor Swain
United States District Judge

Debra Freeman
United States Magistrate Judge
Southern District of New York

CONSENTED TO:
BRADY MCGURNE & STEINBERG, P.C.

[Signature]
By: James M. Steinberg (JK-3515)
Attorneys for Plaintiffs

TRIVELLET, FORTE & SMITH, LLP

[Signature]
By: Seth Plaszewicz (SP-8875)
Attorneys for Defendant